

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

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FILED

August 09, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

TIEDE

AUG 09 2024

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BY: klw
DEPUTY

v

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

X

CIVIL ACTION NO.1:23-cv-1004

COLLIER

BY KL
DEPUTY CLERK

X

X

REQUEST TO INTERVENE AS NAMED CLASS MEMBER OR INTERESTED PARTY

COMES NOW, THE UNDERSIGNED PETITIONERS, pursuant to the Fed. R. Civ. Pro. and moves this Court to allow them to intervene as Class-Members by name, or an Interested Party, due to the fact that the outcome of these proceeding directly affect them. In support thereof would show as follows:

1. The Petitioners have either suffered actual injury from the Extreme Heat due to the fact of Medical Conditions that cause enhanced sensitivity to heat, or they are in imminent danger of suffering heat-stroke, heat exhaustion, heat rash, nausea, and vomiting, due to the unit's temperatures routinely exceeds 100° Fahrenheit in the summer. Temperatures have already been greater than 100° inside the cells on this unit. Therefore, the risk of intense, extreme summer heat is imminent and substantial. The extreme heat conditions on the Coffield Unit are enhanced due to the design of this facility, and the ongoing Staff-shortage (i.e. ONLY 31% ON A DAILY BASIS).

2. In the summer of 2018, at the Eastham Unit, TDCJ-Guard Mrs. Dunn died at the facility directly due to the heat.

3. From 1998 thru 2012, it is a documented fact that 23 (TWENTY-THREE) Texas TDCJ-Inmates have died in the prison units directly from heat related stress:

(3) prisoners in 1998;

(2) prisoners in 1999;

(1) in 2000;

(1) prisoner in 2001;

(1) prisoner in 2003;

(1) prisoner in 2004;

(2) prisoners in 2007;

(10) prisoners in 2011; and (2) prisoners in 2012: The foregoing factual data was retrieved from the Honorable Judge Keith Ellison. the U.S. District

Judge in the Houston Federal District Court, who preside over the TDCJ Pack Unit heat-related lawsuit by prisoners in case No. 4:14-cv-01698, who ruled in favor of the prisoners who were suffering from the extreme temperatures in violation of their constitutional rights.

Thus, Petitioners respectfully request the Court to allow them to Intervene as Named-Classmembers, or as Interested Parties; and request this Court to appoint a Special Master to investigate the conditions of extreme heat throughout TDCJ, and oversee the Litigation in this matter.

FOR SUCH WE PRAY.

PRINT NAME & NUMBER:

/s/

Sam Wiley #1913112

--- Sam Wiley

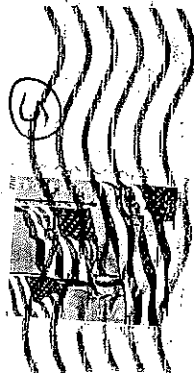
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